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March 2, 2004

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Suite 400
280 N. Old Woodward Ave.
Birmingham, MI 48009

In re application of:
Ferree DECISION ON PETITION
Serial No.: 10/007,477
Filed: November 8, 2001

For: SPINAL FUSION DEVICES AND ALIGNMENT APPARATUS THEREFORE

This is a decision on the petition received on December 17, 2003, to withdraw the holding of abandonment in the above-identified application.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. 1.113 in timely manner to the Notice to File Missing Parts of Application mailed January 3, 2002. Which set a shortened statutory period for reply of two (2) months. Accordingly, this application became abandoned March 5, 2002. A notice of abandonment was mailed on December 10, 2003.

On December 17, 2003, the office received a communication from the attorney of record. Enclosed was an acknowledgment that the attorney responded to the Notice to File Missing Parts on February 22, 2002.

The evidence submitted is sufficient to establish that the petitioners responded to the Notice to File Missing Parts on February 22, 2002.

The petition is hereby GRANTED.

The application has been completed for release to Technology Center 3732.

Telephone inquiries concerning this matter may be directed to Doshie E. Day at (703) 308-3640.

Doshie E. Day
Program Management Assistant
Office Initial Patent Examination